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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/765,631	01/22/2001	Hiroyuki Komai	1086.1134/JDH	8764

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EXAMINER

LUU, SY D

ART UNIT

PAPER NUMBER

2174

DATE MAILED: 03/26/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/765,631

Applicant(s)

KOMAI, HIROYUKI

Examiner

Sy D Luu

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 11/5/01, 4/20/01, 1/22/01.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 3, 4.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-2, 4-5, 9-10, 12-13, 17-18 and 20-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Kahl et al. ("Kahl", US 5,936,625).

As per claim 1, Kahl teaches a schedule management apparatus displaying a managed schedule, comprising:

a schedule display control unit displaying a schedule in a schedule display frame corresponding thereto (fig. 2; col. 2, lines 45 et seq.); and

a display switching unit switching over contents of display in said schedule display frame displaying the schedule to another contents at prescribed time intervals (col. 3, line 60 – col. 4, line 6; col. 5, lines 36 et seq.).

As per claim 2, Kahl teaches when there are a plurality of schedules, said display switching unit switches over the contents of display in said schedule display frame in units of schedule (fig. 2).

As per claim 4, Kahl teaches said display switching unit switches over the contents of display by any of the collective switching method, the longitudinal scroll switching method or the transverse scroll switching method of the contents of display in said schedule display frame (col. 3, line 60 – col. 4, line 6; col. 5, lines 36 et seq.).

Claim 5 is similar in scope to claim 4, and is therefore rejected under similar rationale.

Claims 9-10 and 12-13 are similar in scope to claims 1-2 and 4-5 respectively, and are therefore rejected under similar rationale.

Claims 17-18 and 20-21 are similar in scope to claims 1-2 and 4-5 respectively, and are therefore rejected under similar rationale.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 3, 11, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kahl et al. ("Kahl", US 5,936,625) in view of IBM Technical Disclosure Bulletin (Dynamic Icon Presentation), hereinafter IBM TDB.

As per claims 3, Kahl does not teach said display switching unit to have a time specifying unit specifying an arbitrary switching time interval. However, switching time interval setting is known in the art. For instance, IBM TDB teaches a means for presenting data in time sequence, wherein a means for modifying switching time interval is provided (page 1, Disclosure Text; page 2, User Interaction with Dynicon, section 2). It would have been obvious to an artisan at the time of the invention to combine IBM TDB's teaching with the apparatus of Kahl in order to allow users to specify switching time interval.

Claims 11 and 19 are individually similar in scope to claim 3, and are therefore rejected under similar rationale.

5. Claims 6-8, 14-16 and 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kahl et al. ("Kahl", US 5,936,625) in view of Applicant Admitted Prior Art ("AAPA").

As per claims 6-8, Kahl does not expressly teach the specifying of one or more schedule display frames in which the switched contents are to be displayed; said switched display frame specifying unit switches and displays schedules by specifying all schedule display frames, a schedule display frame for the day or schedule display frames for a period from the day to a prescribed number of days ahead; and said display control unit to display a monthly schedule table or a weekly schedule table, and simultaneously, displays a schedule in one or more schedule display frames from among the date frames of said monthly schedule table and said weekly schedule table, said display switching unit switching and displaying the schedule in said

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schedule display frame. However, all these features are known in the art, as disclosed by AAPA (figure 1). It would have been obvious to an artisan at the time of the invention to include these features with Kahl's apparatus in order to provide users with more flexibility in control of schedule viewing.

Claims 14-16 are similar in scope to claims 6-8 respectively, and are therefore rejected under similar rationale.

Claims 23-24 are similar in scope to claims 6-8 respectively, and are therefore rejected under similar rationale.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Rowe et al. (US 5,623,613)

Minoura et al. (US 6,323,883 B1)

Schlarb et al. (US 6,664,984 B2)

Miller et al. (US 6,661,437 B1)

### ***Inquires***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sy Luu whose telephone number is (703) 305-0409. The examiner can normally be reached on Monday - Thursday from 7:00 am to 4:30 pm (EST). The examiner can also be reached on alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (703) 308-0640.

The fax number for the organization where this application or proceeding is assigned is (703) 872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

A handwritten signature in black ink, appearing to read 'Sy D. Luu', with a long horizontal line extending to the left.

**SY D. LUU**  
**PRIMARY EXAMINER**